

Minutes of a regular City Council meeting held on October 20, 2010, at 8:00 p.m., in the City of Apopka Council Chambers.

PRESENT: Mayor John H. Land
Commissioner Bill Arrowsmith
Commissioner Billie Dean
Commissioner Marilyn U. McQueen
Commissioner Kathy S. Till

PRESS PRESENT: John Peery - Apopka Chief

INVOCATION AND PLEDGE OF ALLEGIANCE - Mayor Land called the meeting to order and gave the Invocation. He said earlier this month we celebrated Columbus Day, honoring Christopher Columbus for the discovery of the Western Hemisphere, and especially North America. Almost three centuries later, our great Nation was founded. He asked everyone to reflect on those great events in the life of our Nation, as he led in the Pledge of Allegiance to the Flag.

Mayor Land acknowledged and welcomed Boy Scouts from Scout Pack 414, and Troop 880, attending the meeting to earn their "Citizen in the Community" merit badge. Self introductions were given by the Scouts, and Mayor Land then invited them to speak with the individual Commissioners following the meeting.

CONSENT AGENDA

1. Approve the minutes from the regular City Council Meeting held on October 6, 2010, at 1:30 p.m.
2. Approve the request from Apopka High School to hold its annual Homecoming Parade on Friday, November 5, 2010.
3. Authorize the Mayor or his designee to execute the street light agreement between the City of Apopka and the Arbor Ridge Phase V Homeowners Association.
4. Authorize a \$1,995.00 expenditure from the Federal Law Enforcement Trust Fund to purchase a laser speed detecting unit for general patrol and traffic enforcement use.
5. Authorize the Chief Administrative Officer to execute the contract with the Department of Corrections Inmate Work Squad Contract III - #WS623.
6. Authorize the execution of a contract, for school year 2010-11, between the School Board of Orange County and the City of Apopka, for the School Resource Officer Program.

MOTION was made by Commissioner Till, and seconded by Commissioner McQueen, to approve the six (6) items of the Consent Agenda.

Commissioner Till questioned Item 6 of the Consent Agenda, to which CAO Anderson said he was going to speak to the item under his report.

Motion carried unanimously, with Mayor Land and Commissioners Arrowsmith, Dean, McQueen, and Till voting aye.

PRESENTATIONS - There were no presentations.

SPECIAL REPORTS AND PUBLIC HEARINGS - There were no special reports or public hearings.

ORDINANCES AND RESOLUTIONS

Mayor Land said Ordinance Nos. 2192 through 2200 meet the requirements for adoption, having been duly advertised in the Apopka Chief Newspaper on October 8, 2010,

1. ORDINANCE NO. 2192 - SECOND READING & ADOPTION - VACATION - Todd Bengtson, vacating a portion of a platted utility, planting, and bridle path easement, located south of Schopke Lester Road and north of Stormway Court - The City Clerk read by title as follows:

ORDINANCE NO. 2192

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO VACATE A PORTION OF A UTILITY EASEMENT AND BRIDLE PATH LOCATED SOUTH OF SCHOPKE LESTER ROAD, NORTH OF STORMWAY COURT; PROVIDING DIRECTION TO THE CITY CLERK; FOR SEVERABILITY; FOR CONFLICTS; AND AN EFFECTIVE DATE.

Mayor Land opened the meeting for public hearing. No one wishing to speak, he closed the public hearing.

MOTION by Commissioner Arrowsmith, and seconded by Commissioner Till, to adopt Ordinance No. 2192. Motion carried unanimously with Mayor Land and Commissioners Arrowsmith, Dean, McQueen, and Till voting aye.

2. ORDINANCE NO. 2193 - SECOND READING & ADOPTION - VACATION - Community Health Centers, Inc., vacating a portion of a platted right-of-way for property located east of 8th Street and south of East 7th Street. - The City Clerk read the title as follows:

ORDINANCE NO. 2193

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO VACATE A PORTION OF THE EXISTING ROBINSON AVENUE RIGHT OF WAY LOCATED NORTH OF EAST 8TH STREET AND SOUTH OF EAST 7TH STREET; PROVIDING DIRECTION TO THE CITY CLERK; FOR SEVERABILITY; FOR CONFLICTS; AND AN EFFECTIVE DATE.

Mayor Land opened the meeting for public hearing.

Paul Dietrich, representing Community Health Centers, said he was available to answer questions.

With no one else wishing to speak, Mayor Land closed the public hearing.

MOTION by Commissioner Dean, and seconded by Commissioner McQueen, to adopt Ordinance No. 2193.

Commissioner Arrowsmith declared a voting conflict as Community Health Centers, Inc., is a client of the bank he serves as Vice President. He will file a Form 8B.

Motion carried 4-0, with Mayor Land and Commissioners Dean, McQueen, and Till voting aye, and Commissioner Arrowsmith abstaining and filing a Form 8B.

- 3. ORDINANCE NO. 2194 - SECOND READING & ADOPTION - CHANGE OF ZONING - First Commercial Bank of Florida - from County A-1 to City R-1 (0-5/0 DU/AC) for property located at 1427 W McCormick Road - The City Clerk read the title as follows:**

ORDINANCE NO. 2194

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, ESTABLISHING THE ZONING AS R-1 FOR THE HEREINAFTER DESCRIBED LANDS WITHIN THE CITY OF APOPKA, FLORIDA, OWNED BY FIRST COMMERCIAL BANK OF FLORIDA, LOCATED NORTH OF MCCORMICK ROAD AND EAST OF HILL DRIVE; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Mayor Land opened the meeting for public hearing. No one wishing to speak, he closed the public hearing.

MOTION by Commissioner Arrowsmith, and seconded by Commissioner Till, to adopt Ordinance No. 2194. Motion carried unanimously with Mayor Land and Commissioners Arrowsmith, Dean, McQueen, and Till voting aye.

- 4. ORDINANCE NO. 2195 - SECOND READING & ADOPTION - COMPREHENSIVE PLAN AMENDMENT - SMALL SCALE - Cooper Oaks Commerce Park LLC - from County Low Medium Density Residential (Max. 10 DU/AC) to Industrial for property located at 50-6 S Bradshaw Road. - The City Clerk read the title as follows:**

ORDINANCE NO. 2195

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE APOPKA COMPREHENSIVE PLAN OF THE CITY OF APOPKA; CHANGING THE FUTURE LAND USE DESIGNATION FOR PROPERTY OWNED BY COOPER OAKS COMMERCE PARK LLC; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Land opened the meeting for public hearing. No one wishing to speak, he closed the public hearing.

MOTION by Commissioner Till, and seconded by Commissioner McQueen, to adopt Ordinance No. 2195.

Commissioner Arrowsmith declared a voting conflict as Cooper Oaks Commerce Park LLC, is a client of the bank he serves as Vice President. He will file a Form 8B.

Motion carried 4-0, with Mayor Land and Commissioners Dean, McQueen, and Till voting aye, and Commissioner Arrowsmith abstaining and filing a Form 8B.

- 5. ORDINANCE NO. 2196 - SECOND READING & ADOPTION - CHANGE OF ZONING - Cooper Oaks Commerce Park LLC - from County R-2 to I-1 for property located at 506 S Bradshaw Road. - The City Clerk read the title as follows:**

ORDINANCE NO. 2196

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, ESTABLISHING THE ZONING AS I-1 FOR THE HEREINAFTER DESCRIBED LANDS WITHIN THE CITY OF APOPKA, FLORIDA; OWNED BY COOPER OAKS COMMERCE PARK LLC, LOCATED AT 506 S. BRADSHAW ROAD; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Mayor Land opened the meeting for public hearing. No one wishing to speak, he closed the public hearing.

MOTION by Commissioner Dean, and seconded by Commissioner Till, to adopt Ordinance No. 2196.

Commissioner Arrowsmith declared a voting conflict as Cooper Oaks Commerce Park LLC, is a client of the bank he serves as Vice President. He will file a Form 8B.

Motion carried 4-0, with Mayor Land and Commissioners Dean, McQueen, and Till voting aye, and Commissioner Arrowsmith abstaining and filing a Form 8B.

- 6. ORDINANCE NO. 2197 - SECOND READING & ADOPTION - COMPREHENSIVE PLAN AMENDMENT - SMALL SCALE - Martin & Jennifer Flickinger - from County Low Density Residential (Max. 4 DU/AC) to Commercial for property located at 145 E. Sandpiper Street. - The City Clerk read the title as follows:**

ORDINANCE NO. 2197

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE APOPKA COMPREHENSIVE PLAN OF THE CITY OF APOPKA; CHANGING THE FUTURE LAND USE DESIGNATION FOR PROPERTY OWNED BY MARTIN

AND JENNIFER FLICKINGER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Land opened the meeting for public hearing. No one wishing to speak, he closed the public hearing.

MOTION by Commissioner Till, and seconded by Commissioner McQueen, to adopt Ordinance No. 2197.

Commissioner Arrowsmith declared a voting conflict as Martin and Jennifer Flickinger are clients of the bank he serves as Vice President. He will file a Form 8B.

Motion carried 4-0, with Mayor Land and Commissioners Dean, McQueen, and Till voting aye, and Commissioner Arrowsmith abstaining and filing a Form 8B.

- 7. ORDINANCE NO. 2198 - SECOND READING & ADOPTION - CHANGE OF ZONING**
- Martin & Jennifer Flickinger - from County A-2 to C-2 for property located at 145 E. Sandpiper Street. - The City Clerk read the title as follows:

ORDINANCE NO. 2198

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, ESTABLISHING THE ZONING AS C-2 FOR THE HERINAFTER DESCRIBED LANDS WITHIN THE CITY OF APOPKA, FLORIDA; OWNED BY MARTIN AND JENNIFER FLICKINGER, LOCATED AT 145 E. SANDPIPER STREET; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Mayor Land opened the meeting for public hearing. No one wishing to speak, he closed the public hearing.

MOTION by Commissioner Till, and seconded by Commissioner McQueen, to adopt Ordinance No. 2198.

Commissioner Arrowsmith declared a voting conflict as Martin and Jennifer Flickinger are clients of the bank he serves as Vice President. He will file a Form 8B.

Motion carried 4-0, with Mayor Land and Commissioners Dean, McQueen, and Till voting aye, and Commissioner Arrowsmith abstaining and filing a Form 8B.

- 8. ORDINANCE NO. 2199 - SECOND READING & ADOPTION - COMPREHENSIVE PLAN AMENDMENT - SMALL SCALE** - Mabel Wallace - from County Low Density Residential (Max. 4 DU/AC) to Commercial for property located at 147 E. Sandpiper Street. - The City Clerk read the title as follows:

ORDINANCE NO. 2199

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE APOPKA COMPREHENSIVE PLAN OF THE CITY OF APOPKA; CHANGING THE FUTURE LAND USE DESIGNATION FOR PROPERTY OWNED BY MABEL WALLACE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Land opened the meeting for public hearing. No one wishing to speak, he closed the public hearing.

MOTION by Commissioner Arrowsmith, and seconded by Commissioner Till, to adopt Ordinance No. 2199. Motion carried unanimously with Mayor Land and Commissioners Arrowsmith, Dean, McQueen, and Till voting aye.

- 9. ORDINANCE NO. 2200 - SECOND READING & ADOPTION - CHANGE OF ZONING**
- Mabel Wallace - from County A-2 to C-2 for property located at 147 E. Sandpiper Street. -
The City Clerk read the title as follows:

ORDINANCE NO. 2200

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, ESTABLISHING THE ZONING AS C-2 FOR THE HEREINAFTER DESCRIBED LANDS WITHIN THE CITY OF APOPKA, FLORIDA; OWNED BY MABEL WALLACE, LOCATED AT 147 E. SANDPIPER STREET; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Mayor Land opened the meeting for public hearing. No one wishing to speak, he closed the public hearing.

MOTION by Commissioner Arrowsmith, and seconded by Commissioner Dean, to adopt Ordinance No. 2200. Motion carried unanimously with Mayor Land and Commissioners Arrowsmith, Dean, McQueen, and Till voting aye.

SITE APPROVALS

- 1. APOPKA FAMILY HEALTH CENTER - COMMUNITY HEALTH CENTERS, INC. - FINAL DEVELOPMENT PLAN/PLAT** - Property located east of Forest Avenue and north and south of 7th Street.

Community Development Director Jay Davoll gave a summary of the project. He requested the staff report be incorporated into and made a part of these meeting minutes.

Mr. Davoll said the applicant has requested a waiver of the six (6) foot high masonry wall requirement, and in lieu of the wall, be allowed to provide a decorative fence along the eastern property line of both parcels, north and south of 7th Street, which was approved by the Development Review Committee and the Planning Commission.

Mayor Land opened the public hearing. No one wishing to speak, he closed the public hearing.

MOTION by Commissioner Till, and seconded by Commissioner McQueen, to approve the final development plan for Apopka Family Health Center, as recommended.

Commissioner Arrowsmith declared a voting conflict as Community Health Centers, Inc., is a client of the bank he serves as Vice President. He will file a Form 8B.

Motion carried 4-0, with Mayor Land and Commissioners Dean, McQueen, and Till voting aye, and Commissioner Arrowsmith abstaining and filing a Form 8B.

Commissioner Till, observing Mr. Cooper present at the meeting, complimented him on the Cooper Commerce Park development.

DEPARTMENT REPORTS AND BIDS - CAO Anderson reported the City requested a raise in fees for the School Resource Officer (SRO) program, to which the County has responded that there is no more funding available. CAO Anderson said it costs the City about \$480,000 to provide the SRO's for the schools, for which the School Board only reimburses about \$115,000. He said the City is evaluating the merits of continuing the program.

CAO Anderson said DCA has turned down our response to the Comprehensive Plan update. He will be going to Tallahassee on Thursday to meet with the Land Use Attorneys in an effort to resolve the issues. He said staff is also working with Mr. Palmer regarding future development in the Wekiva Parkway Interchange area.

CAO Anderson reported receiving the Council's nominees for the Sign Committee, and applications have been mailed. Committee recommendation will be forthcoming to the City Council.

MAYOR'S REPORT - Mayor Land reported receiving a thank you note from the Public Services Department, thanking the Council for their support.

He said a letter from Beth and Mark Nelson was received, thanking Mayor and City Commissioners for presenting the "Key to the City," to SPC. Kori Reis-El Bara (medic going to combat) at the last City Council meeting.

OLD BUSINESS

- 1. Council** - There was no old business from the Council.
- 2. Public** - There was no old business from the public.

NEW BUSINESS

1. Council - Commissioner Dean suggested paving Bradshaw Road from Johns Road to Highway 441. CAO Anderson said there is road paving in the current budget, and the recommendation will be considered.

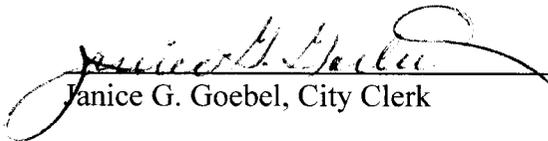
2. Public - Mike Cooper, Cooper Construction Company, gave an update on the development of the Cooper Commerce Park. He asked for street lighting along Bradshaw Road from the Cooper Commerce Park to Highway 441. He also said Bradshaw Road does not meet the 24' road standard, and is needing curbs, gutters, and new paving. He added they have started a new park, called "Cooper Oaks."

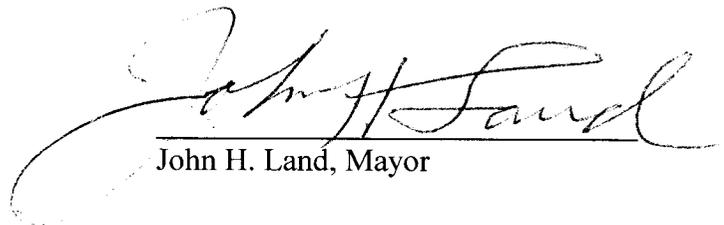
Mr. Cooper strongly suggested the need for the Northwest corridor of the Wekiva Parkway to get underway. He said it will enhance the City of Apopka and bring much growth to the area.

Jeff Welch reminded everyone of the public meetings sponsored by the Expressway Authority regarding the Wekiva Parkway. He said three meetings are scheduled in our area, starting with the first one next Tuesday (October 26, 2010) at the VFW. Meeting opens at 5:00 p.m. and begins at 6:00 p.m.. He encouraged everyone to attend and express interest that the Expressway Authority move forward with the engineering for the project.

ADJOURNMENT - There being no further business to discuss, the meeting adjourned at 8:37 p.m.

ATTEST:


Janice G. Goebel, City Clerk


John H. Land, Mayor